



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Daniel R. Swanson Sr.  
Serial No.: 10/774,093  
Filing Date: February 6, 2004  
Title: System and Method of Using RFID Devices to Analyze Customer Traffic Patterns in Order to Improve a Merchant's Layout

**Mail Stop: Amendments**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

*Willie Jiles*

Willie Jiles

Date: November 4, 2005

**Information Disclosure Statement**

Applicant respectfully requests, under 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. The present Application was filed after June 30, 2003. Therefore, under the July 11, 2003, waiver of 37 C.F.R. § 1.98(a)(2)(i) by the U.S. Patent and Trademark Office, copies of U.S. Patents and U.S. Patent Application Publications listed in the attached PTO-1449 form are not enclosed. All other references are enclosed for the convenience of the Examiner.

**REMARKS**

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than thirty days prior to the filing of this Information Disclosure Statement, and this Information Disclosure Statement is submitted before a first Office Action on the merits. Under 37 C.F.R. § 1.97(b)(3), no fee is due. Nonetheless, the Commissioner is hereby authorized to charge any fee and credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,  
BAKER BOTTS L.L.P.

A handwritten signature in black ink, appearing to read 'Travis W. Thomas', with a horizontal line extending to the right.

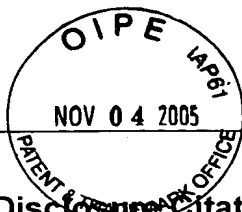
Travis W. Thomas  
Reg. No. 48,667  
Attorneys for Applicant

Date: November 4, 2005

Correspondence Address:

**Customer Number:**

**05073**



PTO-1449  <b>Information Disclosure Citation in an Application</b>		Application No. 10/774,015 <b>ST 093</b>		Applicant(s) Daniel R. Swanson Sr.		
		Docket Number 073897.0151		Group Art Unit Unknown	Filing Date February 6, 2004	

U.S. PATENT DOCUMENTS							
		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A	2002/0116274	08/22/2002	Hind et al.	705	23	02/21/2001
	B						
	C						
	D						
	E						
	F						
	G						
	H						
	I						
	J						
	K						

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	L							

NON-PATENT DOCUMENTS			
		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	M	Notification of Transmittal of the International Search Report or the Declaration (PCT Rule 44.1) mailed October 20, 2005, regarding International Application No. PCT/US2005/003886 and Written Opinion of the International Search Authority, 13 pages	Date Mailed 10/20/2005
	N		
	O		
	P		
	Q		
	R		
	S		
	T		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.